

**REMARKS**

Claims 1-20 are pending in the present application. Claims 1-3, 5-12, and 14-17 stand rejected. Claims 4, 13, and 18-20 were objected to as depending from a rejected base claim. Claims 1-2, 4-7, 10-18, and 20 have been amended. Claims 1-20 remain pending in the present application.

Claims 1, 2, 5-8, 10-12, and 14-16 stand rejected under 35 U.S.C. 102(b) as being anticipated by Vande Linde (U.S. Patent No. 5,613,827). Claim 1 has been amended to clarify that the invention claimed therein requires separate horizontal and vertical positioning systems. The examiner identified the chains of Vande Linde as providing both horizontal and vertical positioners. The separately controlled horizontal and vertical positioners as defined in claim 1 therefore distinguish over Vande Linde. Claim 1 and each of its dependent claims are therefore believed in condition for allowance for this and other reasons. Each of the dependent claims further presents additional limitations that may distinguish over the prior art.

Claim 7 has been amended to clarify that the disengagement system provides for a mechanical disengagement of certain stacker arms while allowing other stacker arms to operate. The Examiner identified the chains as positioners that were engaged or disengaged based on the electronic control system. The Examiner did not identify any system for mechanically disengaging one or more stacker arms while allowing other stacker arms to operate. For these reasons and additional reasons, claim 7 and each of its dependent claims are believed to be in condition for allowance.

Claim 10 has been amended to explain that the control system is capable of varying the speed, acceleration, and positioning of the complementary-operated stacker arms using the horizontal positioning device. The Examiner noted that Vande Linde does not teach changing speeds of the dual-stacker. Claim 10 and each of its dependent claims are therefore believed to be in condition for allowance for this and other reasons. Each of the dependent claims presents further limitations that may distinguish over the prior art.

Claim 15 has been amended to include limitations similar to those discussed above with respect to claim 10 and is believed to be in condition for allowance for at least those

reasons. Each of the claims dependent from claim 15 are also believed to be in condition for allowance for these and other reasons.

Claims 3, 9, and 17 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Vande Linde. Because Vande Linde does not anticipate any of the amended base claims for the reasons discussed previously, it also does not render these claims obvious. Furthermore, each of these dependent claims recite elements that are much more than routine design details and it would not have been obvious to those of skill in the art to use those elements in the manner recited in these claims. Claims 3, 9, and 17 are therefore believed to be in condition for allowance.

Claims 4, 13, and 18-20 were objected to as being dependent upon a rejected base claim, but were said to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. These claims each depend from claims that are now believed to be in condition for allowance. These claims are therefore believed to be allowable for those reasons discussed above in addition to the reasons identified by the Examiner.

For the foregoing reasons, reconsideration and allowance of claims 1-20 of the application as amended is solicited. The Examiner is encouraged to telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

Respectfully submitted,

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